

<b>RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)</b>		Attorney Docket No.	1454.1676																				
		Application Number	11/568,976																				
		International Filing Date	February 21, 2006																				
		First Named Inventor	Maik BIENAS																				
		Group Art Unit																					
Title:	METHOD FOR SELECTION OF AN AVAILABLE TRANSMISSION CHANNEL BY SENDING A NEGATIVE DECISION VALUE AND AN ADDITIONAL POSITIVE DECISION VALUE AND CORRESPONDING BASE STATION, MOBILE TERMINAL AND MOBILE RADIO NETWORK																						
<p>Pursuant to 35 U.S.C. 371, and in response to the "Notification of Missing Requirements under 35 U.S.C. 371" mailed _August 17, 2006_ for the above-identified application, enclosed are the following:</p> <p><input checked="" type="checkbox"/> RETURN COPY of Notification of Missing Requirements under 35 U.S.C. 371.</p> <p><input checked="" type="checkbox"/> Executed Combined Declaration/Power of Attorney. The undersigned registered attorney states that the subject application is the application, which the inventor(s) executed by signing the attached Declaration.</p> <p><input type="checkbox"/> English-language translation of application.</p> <p><input type="checkbox"/> Verified Statement Claiming Small Entity Status.</p> <p>Enclosed, pursuant to 37 CFR §1.492, is payment of the following:</p> <table> <tr> <td><input type="checkbox"/> The additional claim(s) fee ( claims over 20)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> The additional independent claim(s) fee ( claims over 3)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Multiple dependent claims</td> <td>\$</td> </tr> <tr> <td><input checked="" type="checkbox"/> Surcharge for late filing of Declaration</td> <td>\$130.00</td> </tr> <tr> <td><input type="checkbox"/> English language translation fee</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition for Extension of Time ( -month)*</td> <td>\$</td> </tr> <tr> <td><b>SUBTOTAL FEES:</b></td> <td><b>\$ 130.00</b></td> </tr> <tr> <td><input type="checkbox"/> Reduction by 50% for filing by small entity</td> <td></td> </tr> <tr> <td><b>SUBTOTAL FEES:</b></td> <td><b>\$ 130.00</b></td> </tr> <tr> <td><input type="checkbox"/> Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date</td> <td>\$</td> </tr> </table> <p><b>TOTAL FEES DUE:</b> <b>\$ 130.00</b></p>				<input type="checkbox"/> The additional claim(s) fee ( claims over 20)	\$	<input type="checkbox"/> The additional independent claim(s) fee ( claims over 3)	\$	<input type="checkbox"/> Multiple dependent claims	\$	<input checked="" type="checkbox"/> Surcharge for late filing of Declaration	\$130.00	<input type="checkbox"/> English language translation fee	\$	<input type="checkbox"/> Petition for Extension of Time ( -month)*	\$	<b>SUBTOTAL FEES:</b>	<b>\$ 130.00</b>	<input type="checkbox"/> Reduction by 50% for filing by small entity		<b>SUBTOTAL FEES:</b>	<b>\$ 130.00</b>	<input type="checkbox"/> Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date	\$
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<input type="checkbox"/> Multiple dependent claims	\$																						
<input checked="" type="checkbox"/> Surcharge for late filing of Declaration	\$130.00																						
<input type="checkbox"/> English language translation fee	\$																						
<input type="checkbox"/> Petition for Extension of Time ( -month)*	\$																						
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10/20/2006 GFREY1 00000120 10368976

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130.00 OP

\*Since the Notification of Missing Requirements under 35 USC 371 set an original due date of \_\_, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160):

#### METHOD OF PAYMENT

- ☒ Check enclosed as payment.  
☐ Charge "TOTAL FEES DUE" to the Deposit Account No. 19-3935, below.

#### AUTHORIZATION

- ☒ If the above-noted amount enclosed is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to maintain pendency of the present application to:

Deposit Account No.: 19-3935

Deposit Account Name: STAAS & HALSEY LLP

#### SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Richard A. Gollhofer	Reg. No.	31,106
Signature	<i>Richard A. Gollhofer</i>	Date	10/17/06



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,976	Maik Bienas	14541676

INTERNATIONAL APPLICATION NO.

PCT/EP04/51811

I.A. FILING DATE

08/17/2004

PRIORITY DATE

08/18/2003

Staas & Halsey  
 1201 New York Avenue  
 N.W., 7th Floor  
 Washington, DC 20005

CONFIRMATION NO. 8838

371 FORMALITIES LETTER



\*OC000000020064788\*

Date Mailed: 08/17/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/21/2006
- Preliminary Amendments filed on 02/21/2006
- Information Disclosure Statements filed on 02/21/2006
- Request for Immediate Examination filed on 02/21/2006
- U.S. Basic National Fees filed on 02/21/2006
- Priority Documents filed on 02/21/2006

The applicant needs to satisfy supplemental fees problems indicated below.

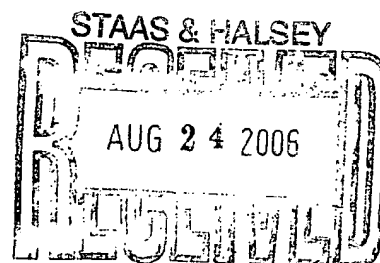
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.



**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,976	PCT/EP04/51811	14541676

FORM PCT/DO/EO/905 (371 Formalities Notice)